

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.:
	:	1:CR-01-248-01
v.	:	
	:	ELECTRONICALLY FILED
TRAVIS THURSTON PARKER,	:	
Defendant	:	Judge Caldwell

MOTION FOR RELIEF UNDER 18 U.S.C. §3582(c)

AND NOW, comes Travis Thurston Parker, by his attorney, L. Rex Bickley, Esquire, on behalf of the Defendant Travis Thurston Parker and files this Motion for Relief Under 18 U.S.C. §3582(c). In support thereof, it is averred as follows:

1. On December 13, 2001 a five Count Superseding Indictment was filed charging the Defendant and others with Conspiracy to Distribute and Possession with Intent to Distribute fifty (50) grams or more of crack cocaine and five (5) kilograms or more of cocaine in violation of 21 USC Section 846, 21 USC A41(a)(1).
2. After a jury trial the Defendant was found guilty of these Counts.
3. On May 8, 2003 Defendant was sentenced to a term of imprisonment of 324 months.
4. The 2002 edition of the United States Sentencing Guidelines Manual was

used to calculate Travis Thurston Parker's sentencing guideline range.

5. The Presentence Report determined that Mr. Parker was responsible for 10,000 kilograms based on 500 grams of cocaine converted into 10,000 kilograms of marijuana.

6. The Presentence Report listed the Base Offense Level of 36.

7. After the application of certain enhancements the Defendant's total offense level was 43.

8. The Defendant's criminal history category was IV.

9. The Guideline sentence was life.

10. On May 8, 2003 the Defendant was sentenced to 324 months.

11. After appeal to the Third Circuit, the case was remanded for resentencing.

12. On May 24, 2005 the Defendant was resentenced to a term of 180 months.

13. Travis Thurston Parker is serving this sentence in FCI Schuylkill.

14. Travis Thurston Parker's projected release date is November 1, 2014.

15. In the United States Sentencing Guidelines Manual effective November 1, 2007, the United States Sentencing Commission amended the drug Quantity Table and reduced the offense level involving crack cocaine.

16. On December 12, 2007, the United States Sentencing Commission

announced its decision to apply the amendments to the crack guidelines retroactively effective March 3, 2008.

17. Because Travis Thurston Parker had been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission, he moves this Honorable Court to reduce the term of imprisonment in accordance with 18 U.S.C. §3582(c)(2).

18. Pursuant to 18 U.S.C. §3582(c)(2), “in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission. . . upon motion of the defendant. . . the Court may reduce the term of imprisonment, after considering the facts set forth in section 3553(a) to the extent that they are applicable, . . . .”

19. Because the Defendant’s final sentence falls well below the sentence he would have received with a straight forward two point reduction his original total offense level, the Defendant is requesting that this Court fashion a sentence reduction that it deems appropriate and in consideration of the factors set forth in Section 3553(a).

Date: May 9, 2008

/s/ L. Rex Bickley  
L. Rex Bickley  
114 South St.  
Harrisburg, PA 17101  
717-234-0577  
717-234-7832 fax

CERTIFICATE OF SERVICE

I, L. Rex Bickley, counsel for Travis Thurston Parker, certify that on this 9<sup>th</sup> day of May, 2008, I electronically served said Motion on US Attorney Christy Fawcett and by US Mail, postage prepaid at Harrisburg, PA to Travis Thurston Parker, #12332-067, Federal Prison Camp, Route 37 Pembroke Station Danbury, CT 06811.

/s/ L. Rex Bickley  
L. Rex Bickley  
Attorney for Travis Thurston  
Parker